

you in the full trial of this case and the law as submitted to you in this charge.

Under the law applicable in this case, the defendant, if sentenced to a term of imprisonment, may earn time off the period of incarceration imposed through the award of good conduct time. Prison authorities may award good conduct time to a prisoner who exhibits good behavior, diligence in carrying out prison work assignments, and attempts at rehabilitation. If a prisoner engages in misconduct, prison authorities may also take away all or part of any good conduct time earned by the prisoner.

It is also possible that the length of time for which the defendant will be imprisoned might be reduced by the award of parole.

It cannot accurately be predicted how the parole law and good conduct time might be applied to this defendant if he is sentenced to a term of imprisonment, because the application of these laws will depend on decisions made by prison and parole authorities.

You may consider the existence of the parole law and good conduct time. However, you are not to consider the extent to which good conduct time may be awarded to or forfeited by this particular defendant. You are not to consider the manner in which the parole law may be applied to this particular defendant.

Under the law applicable in this case, if the defendant is sentenced to a term of imprisonment, he will not become eligible for parole until the actual time served equals one-half of the sentence imposed or 30 years, whichever is less, without consideration of any good conduct time he may earn. If the defendant is sentenced to a term of less than four years, he must serve at least two years before he is eligible for parole. Eligibility for parole does not guarantee that parole will be granted.

You are instructed that if there is testimony before you in this case regarding the defendant having committed other acts or participated in other transactions other than the offense alleged against him in the indictment in this case, that you cannot consider such other acts or transactions, if any, unless you first find and believe beyond a reasonable doubt that the defendant committed such acts or participated in such transactions, if any, but if you do not so believe, or if you have a reasonable doubt thereof, you will not consider such testimony for any purpose.

Our law provides that a defendant may testify in his own behalf if he elects to do so. This, however, is a privilege accorded a defendant, and in the event he elects not to testify, that fact cannot be taken as a circumstance against him. In this case, the defendant has elected not to testify, and you are instructed that you cannot and must not refer or allude to that fact throughout your deliberations or take it into consideration for any purpose whatsoever as a circumstance against the defendant.

If any juror starts to mention the defendant's election not to testify in this case, then it is the duty of the other jurors to stop him at once.

Your verdict must be by a unanimous vote of all members of the jury. In arriving at your verdict, it will not be proper to fix the same by lot, chance, or any other method than by a full, fair and free exercise of the opinion of the individual jurors under the evidence admitted before you. After you have arrived at your verdict you will use one of the forms attached hereto by having your presiding juror sign his or her name to the particular form that conforms to your verdict.

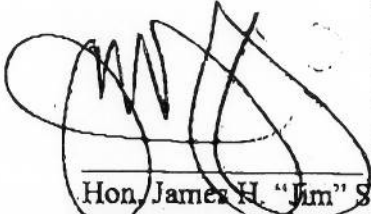
Following the arguments of counsel you will retire to consider your verdict.

FILED

JUN 24 2008

AT _____ M.

Christy Rene Elliott
Clerk District Court, Fort Bend Co., TX



Hon. James H. "Jim" Shoemaker,
Presiding Judge,
434th Judicial District Court
Fort Bend County, Texas

CAUSE NUMBER 44556

THE STATE OF TEXAS

§

IN THE 434TH JUDICIAL

VS.

§

DISTRICT COURT OF

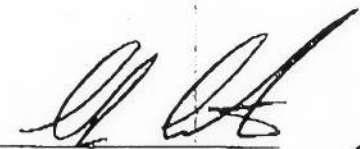
JOSEPH LEE FLORES

§

FORT BEND COUNTY, TEXAS

VERDICT FORM

We, the Jury, having found the defendant, JOSEPH LEE FLORES, ^{Jr.} guilty of the offense of Attempted Capital Murder of a Peace Officer as charged in the indictment, assess his punishment at confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of Life. In addition, we assess a fine of \$ 10,000.00.


Presiding Juror *Chris Carstens*

CAUSE NUMBER 44556

THE STATE OF TEXAS	§	IN THE 434 TH JUDICIAL
VS.	§	DISTRICT COURT OF
JOSEPH LEE FLORES	§	FORT BEND COUNTY, TEXAS

VERDICT FORM

We, the Jury, having found the defendant, JOSEPH LEE FLORES, ^{Jr.} guilty of the offense of Attempted Capital Murder of a Peace Officer as charged in the indictment, assess his punishment at confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of _____ years [five (5) years to ninety-nine (99) years]. In addition, we assess a fine of \$ _____.

 Presiding Juror